

## **4.5 NPDES**

### **4.5.1 NPDES Permit Application and Permit Requirements**

The Project will require a Stormwater General permit for construction activities because construction of the facility will disturb more than five acres of land. EFSEC has jurisdiction regarding the National Pollution Discharge Elimination System (NPDES) Permit over the Project pursuant to Chapter 463-38 WAC. The applicable statutes and regulations which establish permits applicable to the discharge of waste material from industrial, commercial and municipal operations into groundwaters are as follows:

- Chapter 90.48 RCW Water Pollution Control Act
- Chapter 173-226 WAC Waste Water General Permit Program establishes general stormwater permits for the Washington Department of Ecology (DOE) National Pollutant Discharge Elimination System Permit Program (NPDES)
- Chapter 173-201A WAC Washington Department of Ecology Water Quality Standards For Surface Waters of the State of Washington, which regulates water quality of surface waters; and
- Chapter 173-216 WAC Washington Department of Ecology Waste Water Discharge Program,

Federal statute(s) and regulations implemented by the above state statute(s) and regulations include: 42 USC 1251 Federal Clean Water Act; 15 CFR 923-930. An NPDES Permit will also be required for construction activities.

### **4.5.2 NPDES Application**

See Exhibit 8, for the completed Washington DOE Application for General Permit to Discharge Stormwater Associated with Construction Activity.